IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

AND
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT APPEAL No.1493 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 23-06-2004 in WPMP.No.23203 of 2003 in W.P.No.18661 OF 2003 on the file of the High Court.)

Between:

The Sub-Registrar, Dwarakanagar,

at D.No.45-40-39, Near Andhra Bank,
Main Road, Akkayyapalem, Visakhapatnam District.

..... APPELLANT

AND

Smt.V.Lakshmi, W/o.V.Uma Maheswara Rao,
R/o 4-60-5/3, Lawsons Bay Colony, Visakhapatnam.

.....RESPONDENT

Counsel for the Appellant: G.P.FOR REVENUE

Counsel for the Respondent : Mr.K.S.MALLIKARJUNA RAO

The Court at the admission stage made the following :

ORAL JUDGMENT: (per the Hon'ble the Chief Justice)

None for the respondent-writ petitioner. Heard the learned Govt. Pleader for Revenue.

Challenge is to the order passed by the learned single Judge on 23-6-2004 allowing WPMP.No.23293 of 2003 with a direction to the respondent-appellant to release sale deed executed in favour of the petitioner.

In the writ petition, similar prayer was made to declare the action of the respondent-appellant in withholding the sale deed as violative of law with a direction to return the sale deed.

The impugned order almost grants the same relief as in the main writ petition. Such interim relief, which has the effect of disposing of the writ petition, cannot be allowed. The order being bad in law is set aside. The writ appeal is allowed. WPMP.No.23293 of 2003 is dismissed.

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(DEVINDER GUPTA, C.J.)

5th October 2004.

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(C.V.RAMULU, J.)

ARS

To

1.The Sub-Registrar, Dwarakanagar, at D.No.45-40-39, Near Andhra Bank,Main Road, Akkayyapalem, Visakhapatnam District.

2.Two C.Cs. to Govt. Pleader for Revenue, High Court Bldgs., Hyderabad (OUT).

3.Two C.D.copies.